

EXHIBIT 5

to Plaintiff's
Opposition

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SUSAN COONEY,

Plaintiff,

COPY

vs.

Docket No. 0411572 JLT

SAYBROOK GRADUATE SCHOOL and
RESEARCH CENTER, and MAUREEN
O'HARA, Individually,

Defendants.

Deposition of
WILLIAM K. BRUFF, Ph.D.

MARCH 15, 2006

NOTICING ATTORNEY, PAUL W. MORENBERG, ESQ.

REPORTED BY: JEANINE FARRELL, CSR NO. 7774

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1 A. I started September 1998, September 1.

2 Q. And did you hold any other positions at
3 Saybrook other than Associate Dean of Faculty?

4 A. Yes.

5 Q. What positions were those?

6 MS. GARCIA: Objection.

7 THE WITNESS: Associate Vice President for
8 Academic Affairs, part-time faculty, and Director of
9 the MA Psychology MFT program -- for Marriage and
10 Family Therapy.

11 MR. MORENBERG: Q. As a member of the
12 part-time faculty, were there any courses that you
13 were regularly teaching?

14 A. No.

15 Q. What services were you providing on the
16 faculty?

17 A. As a part-time faculty member?

18 Q. Yes.

19 A. I would serve on committees, dissertation
20 committees, thesis committees, projects. And I would
21 teach different courses at different times.

22 Q. I think my question wasn't clear to you. I
23 was initially seeking to know what courses or areas
24 of interest you were providing instruction in?

25 A. Psychology --

1 considering Saybrook would receive a catalog. All
2 students receive catalogs and student handbooks at
3 the residential orientation when they matriculated.

4 Q. And when you say some students received
5 catalogs when they expressed interest, is it fair to
6 say that Saybrook wouldn't always send a catalog out
7 to a student, but would provide it if a student had
8 an interest in getting a catalog?

9 MS. GARCIA: Objection. The word student.

10 MR. MORENBERG: It's a good point. Let me
11 rephrase the question.

12 Q. You said that sometimes prospective students
13 would get a catalog, was that because Saybrook
14 wouldn't always provide a catalog unless the student
15 requested one?

16 MS. GARCIA: Objection.

17 THE WITNESS: Any student who requested a
18 catalog, no. All students who matriculate receive a
19 catalog.

20 MR. MORENBERG: Sure.

21 A. Any prospective student who wanted a catalog
22 received one. But we couldn't know who was a
23 prospective student until they made themselves known
24 and that they wanted a catalog.

25 Q. Are the entire contents of the catalog

1 available online --

2 A. Yes.

3 Q. -- to prospective students or only to
4 students?

5 MS. GARCIA: Objection.

6 THE WITNESS: I don't know.

7 MR. MORENBERG: Q. And after a student
8 enrolls at Saybrook, are there mailings of future
9 catalogs?

10 A. No.

11 Q. And why is that?

12 A. Because students are bound by the catalog
13 that they're admitted with.

14 Q. Now, I suppose if a student would get a
15 subsequent catalog they made a request for one?

16 A. Yes.

17 Q. How would the student know about course
18 information that might be in a subsequent catalog?

19 A. It would be online.

20 Q. I see. And how long has that information
21 been available online?

22 A. Five or six years. Perhaps more.

23 Q. I take it there was a point in time in or
24 around '98 or '99 where Saybrook expanded the
25 capacity of its website?

1 A. Yes.

2 Q. And five or six years ago they added the
3 capacity to make -- for students to receive more
4 information through the website?

5 A. Yes.

6 Q. Were you at Saybrook when that change
7 happened?

8 A. Yes.

9 Q. What types of services were added to the
10 website when that happened. You mentioned one, but
11 is there anything else you can tell me?

12 A. Catalog information, course enrollment,
13 course history transcript review are all available
14 online, faculty bios, licensing information, faculty
15 biographies, institutional information.

16 Q. So there's a lot on that website?

17 A. Yes.

18 Q. And I take it you feel that was a very good
19 change for the school?

20 A. Yes.

21 Q. And one of the reasons it was a good change
22 is because it's a distance learning program so it
23 makes it easier to distribute information?

24 A. Yes.

25 Q. Were the updated catalogs available at

1 residential conferences?

2 A. Yes.

3 Q. Were they distributed?

4 A. How do you mean distributed?

5 Q. My question is unclear. You've already
6 testified that when you attend a residential
7 orientation conference you receive the current
8 catalog and/or student handbook.

9 A. Correct.

10 Q. What I'm asking is when there is a
11 residential conference for a student who has already
12 matriculated --

13 A. Yes.

14 Q. -- do they receive a copy of the updated
15 catalog?

16 A. Those catalogs are available to them at
17 residential conferences. They are not systematically
18 distributed.

19 MS. GARCIA: Is there a timeframe in your
20 question?

21 MR. MORENBERG: Sure. Sure. I can make it
22 more specific.

23 Q. During the period when you worked for
24 Saybrook from '98 to the present, is it fair to say
25 that Saybrook makes updated catalogs available to

1 presently enrolled students upon request but they're
2 not distributed to all students?

3 A. That's inaccurate.

4 Q. How is it done?

5 A. The catalog -- the catalog which will affect
6 a particular student is distributed to them on entry
7 to Saybrook..

8 Q. Right. I understand --

9 A. Subsequent catalogs are distributed to the
10 students that will be affected by each of those
11 subsequent catalogs as they come into Saybrook.

12 Q. Right. Let me give you a specific example.

13 MS. GARCIA: Let him finish his answer.

14 THE WITNESS: If a student wanted a
15 subsequent catalog, that information in that new
16 catalog may or may not be appropriate for that
17 student, but the student may request such catalog.

18 MR. MORENBERG: Q. So if a student who
19 enrolled for the '98, '99 academic year received
20 Saybrook's catalog at the residential orientation
21 conference and then attended a residential conference
22 for the '99, 2000 academic year, that student
23 wouldn't receive the catalog for the '99, 2000
24 academic year at the residential conference.

25 MS. GARCIA: Objection.

1 THE WITNESS: Unless they requested it.

2 MR. MORENBERG: Q. What is your role, if
3 any, in drafting or revising these catalogs?

4 A. Currently my responsibility is to review
5 those sections of the catalog which affect the
6 Marriage and Family Therapy program.

7 Q. So it's one integrated document the MA MFT
8 program doesn't have a separate catalog?

9 A. No.

10 Q. And do you control the content of those
11 sections or is it more of a group process for MA MFT?

12 A. No and no.

13 Q. How is the content reviewed, developed, and
14 then ultimately approved?

15 MS. GARCIA: Objection.

16 THE WITNESS: How is the content reviewed,
17 developed, and ultimately approved?

18 MS. GARCIA: Are you talking just for the
19 MA MFT program or the entire catalog?

20 MR. MORENBERG: Q. Let's initially talk
21 about the MA MFT program because you currently run
22 that program and review the catalog material.

23 A. I guess it would be the same answer for
24 both. It's controlled by the Vice President for
25 Academic Affairs office.